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ANTARA BIOSCIENCES, INC.,
MARC R. LABGOLD and DANA ICHINOTSUBO

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IZUMI OHKUBO,

Plaintiff,

v.

ANTARA BIOSCIENCES, INC.
MARC R. LABGOLD AND DANA
ICHINOTSUBO.

Defendants.

Case No.: C07 06354 JW

**DECLARATION OF DEFENDANT
DANA ICHINOTSUBO SUBMITTED
IN CONJUNCTION WITH STATUS
REPORT ON JAPANESE
LITIGATION IN CONNECTION
WITH PENDING MOTION TO
DISMISS**

Honorable James Ware
Courtroom 8

Complaint Filed: December 14, 2007

1 I, Dana Ichinotsubo, do hereby declare as follows:

2 1. I have personal knowledge of the facts set forth herein and could
3 competently testify if required to do so.

4 2. I make this declaration in support of the Status Report filed herewith
5 by Defendants, Antara Biosciences, Inc. ("Antara"), Marc R. Labgold, Ph.D.
6 ("Labgold"), and myself (collectively, "Defendants").

7 3. I am a citizen and resident of the State of Hawaii. I also am an officer
8 and director of Antara and an officer and director of K.K. Eurus Genomics ("Eurus"),
9 which is located in Tokyo Japan.

10 4. As the Court knows, there is a co-pending Japanese litigation that
11 involves the same factual occurrences as the instant action.

12 5. In that case, Plaintiff's Ohkubo and Ohno, submitted only one third
13 party declaration – that of Mr. Toshiaki Suzuki – the individual that Defendants have
14 asserted is a necessary witness to the issues pending in this litigation.

15 6. On or about July 31, 2008, the Japanese court issued a decision in that
16 litigation in Mr. Ohkubo's favor.

17 I declare under the penalty of perjury that the foregoing is true and
18 correct.

19 Executed on August 1, 2008, at Honolulu, Hawaii.

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21 _____
22 Dana Ichinotsubo
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